

JAN 06 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *Biagla*
DEPUTY CLERK

TROY SHANNON HARLOW, et al,)
Plaintiffs,)

Case No. 7:20-mc-00030

v.)

WELLS FARGO & CO. and)
WELLS FARGO BANK, N.A.,)
Defendants.)

By: Hon. Michael F. Urbanski
Chief United States District Judge

ORDER

This matter is before the court on defendants', Wells Fargo & Co. and Wells Fargo Bank, N.A. (collectively "Wells Fargo"), motion to withdraw the reference of this case to bankruptcy court and to consolidate it with Forsburg v. Wells Fargo, et al, No. 5:20-cv-00046 (W.D. Va. filed July 23, 2020) (hereinafter "the Forsburg litigation"). Mot. to Withdraw Reference, ECF No. 1. Plaintiffs Troy Shannon Harlow, Mark Stephen Estes, Kimberly Porter Fewell, Beatriz Villegas-Rodriguez, and Rodolfo Rodriguez, by counsel, oppose the motion to withdraw the reference but, should the court withdraw the reference, the plaintiffs do not oppose the motion to consolidate. ECF No. 5.

The court will **GRANT** Wells Fargo's motion to withdraw the reference and to consolidate this case with the Forsburg litigation. The court will explain its reasoning in a forthcoming memorandum opinion. Accordingly, it is **ORDERED** that the reference for this case to bankruptcy court is withdrawn and that this case is consolidated with the Forsburg litigation for all further proceedings, including trial. The court deems all pleadings previously filed in either case prior to the entry of this order as being filed both cases. All future pleadings shall be filed in 5:20-cv-00046 as the lead case.

The Clerk is directed to send certified copies of this Order to all counsel of record.

It is so **ORDERED**.

Entered: 01-05-2021

A handwritten signature in blue ink, appearing to read "M. Urbanski", with a long horizontal flourish extending to the right.

Michael F. Urbanski
Chief United States District Judge